



Report on Human Rights Violations of 2011

Prepared by

Association of Protestant Churches (Turkey)

Committee for Religious Freedom and Legal Affairs

16 January 2012

Introduction and Summary¹

‘Everyone has the right to freedom of thought, conscience and religion.’ (UDHR- Article 18) Our desire is that these rights be a part of the life of everybody everywhere in Turkey. In our country although freedom of religion and faith generally are secured under human rights and constitutional rights, according to national and international civil society group’s reports, significant difficulties and problems remain. Below a report is given that lays before us the problems that were experienced in the Protestant community in the year 2011 in the area of freedom of religion and faith.² The fundamental problems can be summarized as follows:

Hate crimes directed at Christians continued in 2011, there were physical attacks carried out against Protestants and churches. Protestants’ establishing and ability to continue to use places of worship continued to be a problem. Even though there is some use in establishing associations (dernek) in order for congregations to gain legal status, a complete solution has not been reached. The problems connected with the compulsory Religious Culture and Moral Knowledge classes (RCMK) as well as the intolerance shown to people of different faiths in Turkey continued. The removal of this root of intolerance is an urgent problem that still awaits to be dealt with.

Verbal and physical attacks coming under the heading of Hate Crimes:

- On Feb 18, 2011, two children were captured as a result of a stone throwing incident at the Light Church Association’s Yalova building. The church did not press charges due to the age of the assailants and the families’ apology and paying for the repair of the broken glass. The district attorney has opened up a public action and the legal proceedings continue.
- On March 27, 2011, a sound bomb made out of fireworks was thrown in the Bursa Protestant church. The sound and smoke caused great panic among the worshippers gathered there. Even though a report was made to the police, including video footage, the attackers have still not been captured.
- On April 1, 2011, a young man came to the Izmir Resurrection church. After shouting at the leader, who was standing in front of the building, he took out a gun and shot blanks at the leader. Afterwards he took out a loaded hunting rifle. Because of the intervention of the leader and some church members, the shot went into the air. The attacker was subdued and turned over to the authorities. An accomplice of the attacker was captured in Manisa. The two are still under arrest and the court proceedings, which began in November, continue.
- On April 26, 2011, while talking to some people in a park, members of the Bible Instruction Association were assaulted by 8 people. There was no arrest or investigation because they did not press charges, even though some were hit by the men.
- On May 13, 2011, a notice filled with threats and cursing was hung on the door of the Samsun Love Church’s door. The police determined who the individual was and captured him. The attacker apologized and said he was repentant, so the leader of the church withdrew charges and the perpetrator was released. A public action was not opened.

¹ As of Jan 2009 'Alliance of Protestant Churches in Turkey' is now continuing its duties as an association called the "Association of Protestant Churches."

² This report is limited to Protestant congregations due to our limited resources and because we are the most familiar with these congregations. Our community supports religious freedom for all.

- On June 19, 2011, the Bursa Catholic church building which the Bursa Protestant church uses for worship was the target of arson. A wooden door was burned but it was extinguished before the fire spread inside. The perpetrator or perpetrators have not been captured.
- On July 18, 2011, the 15 year old son of O.P, the leader of the Samsun Love Church, was threatened on a social media website by a 17 year old. The police found the young man who threatened the other and warned him; because of the youth of the perpetrator no charges were filed.
- On July 26, 2011, the sign on the Yalova building of the Light Church Association was stolen. Despite having video footage of the incident, the perpetrators have not been captured. .
- On Sept 21, 2011, members of the Bible Instruction Association were physically attacked while they spoke about their faith with some people in Beşiktaş in Istanbul. One member was struck and his glasses broken. The police followed up closely on the incident but since the association member did not press charges. There were no arrests and no investigation.
- On Nov 2, 2011, the Aydin building of the New Birth Association was attacked with stones and windows broken. The incident was reported to the police but no one has been arrested as of yet.
- On Dec 20, 2011, the sign on the Yalova building of the Light Church Association was destroyed by an unknown individual. The incident was reported to the police, but no one has been arrested as of yet.
- On Dec 24, 2011 a member of the Malatya church was threatened and harassed in a phone call by an unknown individual claiming to be from the government ministry. He was given specific information about his son-in-law, told that he was being followed, that he should not go to church or to Christmas meetings, that if he went his photograph would be taken and sent to officials. The same people called again on December 29 and gave similar warnings. The police were informed, but the individual was told they had to make an official complaint to the district attorney. The family has not yet made a decision about this.
- Some church leaders have lived 2011 under the watchful care of police protection. There are at least 5 church leaders who have body guards, at least two have a direct phone line to a police protection unit. Several churches have police protection during worship services.

Problems with establishing places of worship³

The legal issue of being unable to establish a place of worship continues for Protestants. In 2003, the changes to Zoning Law number 3194 as part of the European Union's 6th Harmonization Package was intended to meet the needs of non-Muslim citizens for places of worship by replacing the word "mosque" with the words "place of worship." However, the negative experiences of the

³ The Protestant Community's problems with regard to places of worship can be seen in the November 2008 report on our website. The problems listed in that report in 2008 continue to this day .

http://protestankiliseler.org/index.php?option=com_content&view=article&id=1140&Itemid=462

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Turkish Protestant Community to establish places of worship demonstrate the Protestant Community's inability to exercise their legal rights and their existence confronted with serious obstructions and interferences in rights as a result of the way this positive legal development is interpreted and applied.

- At the beginning of 2011 the Van church was officially recognized by the municipality. After the necessary zoning changes were completed, the church applied to the Van governor's office for the final approval in May 2011. That approval has still not been granted. A similar situation continues for the Diyarbakir church since 2004.
- The Istanbul Family Life Association rented the floor of a building in Istanbul's Sancaktepe district. After all the renovations were begun the entrance to that floor was sealed by municipality officials on Dec 23, 2011 due to lack of license. When individuals went to the municipality to inquire about the situation, they were told there would not be any activity by the association allowed in that area and that the seal would not be removed. In the same building there are bars and cafes that continue their work along with other businesses. It is only the church association activities that are being banned; they are targets of hate speech and open favoritism of others.

Freedom of Expression in Religion

Despite the rights for propagating, teaching and declaring our faith being guaranteed in our laws there are continuing difficulties. Activities for explaining and propagating one's religion (especially those done by Christians) are perceived as dangerous and illegal "activities" by public officials and society.

In pluralistic democratic societies where respect for human rights is seen as an indispensable value the teaching and propagating of different beliefs and opinions is perceived as normal, not a threat. One of the clearest examples of how this perspective is contradicted in Turkey can be found in the Primary School 8th grade book 'History of the Turkish Republic's Reforms and Atatürkism'⁴, in the section on National Threats under the heading 'Missionary Activities.' Here missionary activity is described as a national threat. There has been written communication with the Ministry of Education concerning the removal of this chapter in 2010, but despite protests that the chapter increases the intolerance against Christians and opens the way for various attacks against them, a negative answer was received.⁵ This example vividly shows that prejudice and intolerance has been built up by the Ministry of Education and has been worked into the thinking of others.

- On April 26, 2011, while talking to some people in a park, members of the Bible Instruction Association were assaulted by 8 men. There was no arrest or investigation because they did not press charges, even though some were hit by the men.
- On Sept 21, 2011 members of the Bible Instruction Association were physically attacked while they spoke with some people in Beşiktaş in Istanbul about their faith. One member was struck and his glasses broken. The police followed up closely on the incident but since the association member did not press charges, there were no arrests and no investigation

⁴ Ministry of Education Primary Education 8th grade "History of the Turkish Republic's Reforms and Atatürkism" textbook. Page 205 (MEB İlköğretim 8. sınıf "Türkiye Cumhuriyeti İnkılap Tarihi ve Atatürkçülük") State Book Publishers - ISBN: 978-975-11-3073-0

⁵ You can see the written communication with regard to this subject in the announcement section of our website. www.protestankiliseler.org

Mandatory Religion Class

In our 2010 Human Rights Violations Report we wrote the following about this subject: *According to the decision taken by the Presidency of the Ministry of Education's (MEB hereafter) Religious Education General Directorate for Higher Education and Training Committee on 9 July 1990 (Decision 1), non-Muslim students may be exempt from Religious Culture and Moral Knowledge classes (RCMK) classes upon showing proper documentation with regard to their beliefs. Despite the children's rights to be exempted and not attend these classes, many school administrations are unaware of this decision, require children to join these RCMK classes or require a written request from parents for their children to be exempted which is something the decision did not require. Even when a child is exempt, often there is no other alternative place to go, so students either have to sit in the classroom where the course is being held or stay in the office of the assistant principal. In order to obtain their children's exemption parents have to disclose their children's beliefs. In addition, a child's beliefs are exposed which can result in problems such as rejection, denigration, slander and even physical attack from friends, even sometimes their own teachers because they are a member of another religion.* However in 2011 it was reported to some families that in some of the schools in Izmir and Istanbul the declaration by the National Education Ministry was carried out properly, those exempt from the classes were directed to study in the library. This shows that when the National Education Ministry's gives appropriate instruction to the schools, fewer problems occur. Still in 2011 there were still some negative incidents reported.

- In April 2010 in Diyarbakir during the RCMK course in a 5th grade class, it was reported the teacher asked the class to recite the Muslim creed. The teacher singled out a Christian male student telling the class that this student went to church, did not know the Muslim creed nor did he want to learn it. Upon hearing this, several friends and the teacher beat this Christian student. In light of this the parents filed an official complaint against the teacher and the MEB opened an investigation. As a result of the investigation the teacher did not face any disciplinary measures because there was no solid evidence of guilt. The family reports that the child, although not going to the RCMK class, still continues to receive abuse from both teacher and friends because of his beliefs. This abuse toward the child continued in 2011 and the families request for a transfer was turned down by the National Education Ministry.

To wait for the parents to complain about the difficulties their children experience is to miss the sensitivity of this issue. The National Education Ministry needs to see what children and families live through, as well as the risk of pressure and stigmatism. Instead of waiting for complaints the Ministry needs to ensure that the necessary conditions for exemption for these students are provided in the classes and schools.

The Problem of Training Religious Leaders

In 2011 the present laws in Turkey do not provide for the possibility of training Christian leaders or the opening of schools that could give any type of official religious education to religious community members. Yet, the right to train religious leaders is one cornerstone of religious freedom.

Legal Entity /Right to Organize

Since 2005, steps towards forming recognized associations have begun to be taken for reasons pointed out above like the difficulty of the Zoning Law, the desire to gain legal status, and the raising of the restrictions of law number 5253 in the new Associations Law. The first step taken in this new framework was done in 2005 when the "Kurtulus Churches Association" was established

in Ankara. After this 20 more congregations have become associations and 6 representative offices connected to one of the associations have been established. This process is continuing. Associations are not accepted as a “church” or a “place of worship.” Rather, as pointed out in 2004 by the Minister of Justice, Cemil Çiçek, in order to set up a church there must be a legal entity.⁶ The problem of a religious congregation becoming a legal entity has not been solved. The present legal path does not allow for a congregation to obtain a legal personality as a “congregation.” In addition the present “association formation” path appears complex and hard to work out for small churches. Thus, small congregations continue to be helpless in becoming either an association or a legal identity.

Obligatory Declaration of Faith

The section for religious affiliation on the identity cards forces people to declare their faith and increases the risk of facing discrimination in every arena of life. The problem is not solved by allowing the registration of one’s belief to be elective. First, it is difficult to leave this line blank if one keeps in mind the societal pressure. On the other hand, those who want to be exempt from mandatory religious instruction do not have the right to leave the religion line blank either because they have to prove they are Christian for their children to be exempt from religion classes. The continued presence of the section for religious affiliation on the new identity cards is a cause for concern.

Discrimination

Whether individually or as a congregation, when rights are exercised discrimination is commonly experienced. Discrimination is felt by the individual when the right to education is exercised, at the place of employment or, if male, while doing military service. The religion line on the identity cards continues to be a factor that increases the risk of discrimination. One is not able to officially complain or open a court case on the basis of discrimination because of the difficulty of proving discrimination as well as the weakness of present laws in Turkey and their application.

- The Light Church Association is a member of the Izmir Municipality’s City Council. In February 2011 at the request and with permission and support of the city council, the Association set up an activity for the children of their neighborhood. Even though the children who participated did so under the supervision of their guardians, the activity was reported negatively in the press and without receiving any defense from the association; the association was removed from the city council.
- On Nov 28, 2011 the Izmir Light Church Association requested the use of the Aya Voukla Church for a Christmas activity. The Aya Voukla Church is in the municipality’s purview and is used as a culture center. This request was turned down on Dec 9, 2011 without giving a reason.
- The retreat center in the Yalova province that Protestant fellowships have used for meetings and vacations petitioned the Yalova Province General Council for a change in the 1/25000 plans. While the issue was being discussed an argument broke out because the center belongs to Christians and its thought that missionary activity might be done there. The request was rejected by the council without any technical reason being given.
- The Istanbul Family Life Association rented the floor of a building in Istanbul’s Sancaktepe district. After all the renovations were begun the entrance to that floor was sealed by

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<http://www.milliyet.com.tr/2004/06/22/siyaset/siy05.html>

municipality officials on Dec 23, 2011 due to lack of license. When individuals went to the municipality to inquire about the situation, they were told there would not be any activity by the association allowed in that area and that the seal would not be removed. In the same building there are bars and cafes that continue their work along with other businesses. It is only the church association activities that are being banned; they are targets of hate speech and open favoritism of others.

- Despite the Antakya Protestant Church's many requests to the Antakya Municipality for a cemetery, there was no place assigned to them to be used for a cemetery in 2011.

Media

The *increase* in the slanderous and misinformation filled and subjective reporting with regard to Christians in 2011 is a worrisome development. Especially the desire to affect some groups with negative propaganda with regard to Christianity or showing that being a Christian is a negative thing which potentially opens the way for serious and dangerous results.

- On May 30, 2011, the names of various Protestant organizations along with the names of members were mentioned in some newspapers and internet sites. Their legal activities were shown as if they were illegal. They were connected to a terror organization and a particular political party. Christianity and churches were portrayed as liabilities in the eyes of society or the public⁷.
- On Dec 1, 2011, in national newspapers and based on reports from the National Intelligence Institute (MİT), various legal activities of Protestant people and organizations were portrayed as illegal in a negative propaganda sweep against Christianity.⁸
- On Dec 26, 2011, some national newspapers and television stations published pictures of the Christian baptism and personal information of a former employee for a political party's Aydin provincial directorate. Besides being a violation of human rights and press ethics there was also false and unrelated information (e.g. washing with wine) included in the article which was filled with provocative news against people and organizations, all of which was extremely discomforting.
- On Dec 29, 2011 a national newspaper reported that a terror group was using Christianity and that Christian propaganda was given to members and sympathizers. The combining of terror and Christianity causes society to see Christianity in a negative light.⁹

Malatya Case

Despite the fact that almost five years have passed since 3 Christians were brutally murdered in Malatya in 2007, the court case continues with many question marks and, though nothing has been proven, the need for investigation and bringing into the open the connection of public individuals and institutions with the case. This case must be brought to a conclusion and all the dark corners brought to light.

⁷ <http://www.abna.ir/data.asp?lang=10&Id=244270>

⁸ <http://www.milligazete.com.tr/haber/ingilizce-kursuyla-misyonerlik-222920.htm>

⁹ <http://www.sabah.com.tr/Gundem/2011/12/29/teror-orgutunun-din-acmazi>

Dialogue

We see as positive steps the meetings we have had with the Human Rights Presidency of the Prime Ministry and the Ministry of Religious Affairs as well as the written communication between us and the Ministry of Education. In addition the Directive produced by the Prime Ministry on 13 May 2010 emphasizing non-Muslim rights and their status as equal citizens was seen as an important step.¹⁰

There were several positive incidents of both attitude and action from police and public officials toward churches and members reported in 2011.

- The request by the Bursa Protestant Church for a cemetery was accepted by the Bursa Municipality on April 29, 2011. An area was set aside for a Christian cemetery.
- In 2011 non-Muslim students were treated more sensitively in schools.
- During the process of writing a new constitution, the Turkish Parliament Presidency asked for our opinions, an important step with regard to a more pluralistic constitution.

Recommendations

- The continued intolerance shown and hate crimes perpetrated against Christians in 2011 are distressing. The Ministry of Justice must effectively record these hate crimes as such (including which community they were perpetrated against). Above all, the root causes of these crimes need to be eradicated.
- In Turkey, the problem of “places of worship” remains current for Protestant congregations that do not have access to historical church buildings to use. This is a fundamental element of the right to the manifestation of religion or belief. This problem has continued for years and remains unsolved. The national and regional authorities need to immediately take the necessary steps.
- Government institutions or agents are manufacturing a crime under the name “missionary work” and identify this with a specific set of beliefs. In turn this is being taught as one of the biggest national threats to society in schools, in the military corps, and through some civil society organizations. These events should be stopped by the authorities and there should be decisive action against these types of efforts. Freedom of belief and expression is protected within the Constitution. The attempts to take this away with defamatory and distorted propaganda should not be ignored.
- The elements creating discrimination and prejudice found in the school textbooks should be removed. Beyond good intentions, concrete steps must be taken and the outcomes must be monitored regarding a culture’s progress in living together and respecting beliefs.
- Waiting for families to officially complain about the difficulties their children faced in Religious Culture and Moral Knowledge lessons is to miss the sensitivity of this issue. The Ministry of Education should ensure that all the necessary conditions have been met in schools and classrooms for exemption to be easily obtained without waiting for complaints to be filed and take into account the problems and the potential risk of persecution or stigmatization that children and families could face.

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Prime Ministry Notice Number : 2010/13 Date: 13.05.2010

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- The “religious affiliation section” on the identification card is a continual risk of creating discrimination and should be removed.
- Within the framework of freedom of expression, the media needs to create its own “code of ethics”. Quick and effective control mechanisms should be established against discrimination and intolerance in the printed and broadcast media.
- The idea of tolerance toward people within society who belong to different religions yet possess equal rights as Turkish citizens and live in the same culture needs to be actively propagated by national and regional officials, beginning with the Ministry of Education.
- The police force needs to be informed about the rights of non-Muslim citizens and the right to propagate one’s beliefs. Being arrested on an accusation of “doing missionary work” needs to be stopped. This basic right and the exercise of that right within the framework of freedom must not be taken away.
- While the new constitution is being established and all the needs of the various groups in society are being discussed, we desire that the people writing the constitution be in constant dialog with our group.
- Training must be given to civil servants as part of Human Rights education on the scope of the right to freedom of conscience and religion.

Respectfully,

Association of Protestant Churches (Turkey)
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